

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Prior Application: Art Unit: 3732
Examiner: M. Priddy

SIR: This is a request for filing a

☐ Continuation ☐ Continuation-in-Part ☒ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/566,055 filed May 5, 2000 of Gary K. Michelson, M.D. for SCREWS OF CORTICAL BONE AND METHOD OF MANUFACTURE THEREOF.

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 09/566,055 as originally filed on May 5, 2000.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☒ Cancel Claims 1-90 and 136-138.
4. ☐ A Preliminary Amendment is enclosed.
5. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 and 4 above.

| | | | | | | |
|--|------------------|---|-------|--------------|--------|-------------|
| Basic Application Filing Fee | | | | | \$710 | \$ 710.00 |
| | Number of Claims | | Basic | Extra Claims | | |
| Total Claims | 45 | - | 20 | 25 | x \$18 | 450.00 |
| Independent Claims | 3 | - | 3 | 0 | x \$80 | 0.00 |
| [] Presentation of Multiple Dep. Claim(s) | | | | | +\$270 | 0 |
| Subtotal | | | | | | \$ 1,160.00 |
| Reduction by 1/2 if small entity | | | | | | - 0 |
| TOTAL APPLICATION FILING FEE | | | | | | \$ 1,160.00 |

6. ☒ A check in the amount of \$1,160.00 to cover the filing fee is enclosed.
7. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 50-1066.
8. ☒ Amend the specification on page 1 by replacing the sentence on lines 6-7 with the following sentence:

--This is a ☐ continuation ☒ divisional of application Serial No. 09/566,055, filed May 5, 2000, which claims the benefit of U.S. provisional application No. 60/132,671, filed May 5, 1999; all of which are incorporated herein by reference.--

9. ☐ New formal drawings are enclosed.
10. ☐ The prior application is assigned of record to: _____
11. ☐ Priority of application Serial No. _____, filed on _____ in _____ (country) is claimed under 35 U.S.C. § 119. A certified copy
☐ is enclosed or ☐ is on file in the prior application.
12. ☐ A verified statement claiming small entity status
☐ is enclosed or ☐ is on file in the prior application.
13. ☒ The power of attorney in the prior application is to at least one of the following: MARTIN & FERRARO, LLP; Thomas H. Martin, Reg. No. 34,383; Amedeo F. Ferraro, Reg. No. 37,129; and Todd M. Martin, Reg. No. 42,844.
14. ☒ The power appears in the original declaration of the prior application.
15. ☐ A new Revocation of Original Power of Attorney and Grant of New Power of Attorney is enclosed.

16. ☒ Please address all correspondence to:
Customer No. 22882
MARTIN & FERRARO, LLP
14500 Avion Parkway, Suite 300
Chantilly, Virginia 20151-1101



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09/09/2000 14:20:26

17. ☐ Recognize as associate attorney _____
(name, address & Reg. No.)
18. ☒ Also enclosed is Information Disclosure Statement Under 37 C.F.R.
§ 1.97(b) with Form PTO-1449

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, Serial No. 09/566,055 filed May 5, 2000, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 50-1066. A duplicate copy of this paper is enclosed for use in charging the deposit account.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: October 2, 2001

By: 
Amedeo F. Ferraro
Registration No. 37,129
Attorneys for Applicant(s)

14500 Avion Parkway, Suite 300
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T02007"4620/660

10-04-01

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PATENT

Attorney Docket No: 101.0070-02000

Customer No.: 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary K. Michelson, M.D.

Serial No: N/A
(Divisional of Serial No. 09/566,055)

(Art Unit: 3732)

Filed: October 2, 2001

(Examiner: M. Priddy)

For: SCREWS OF CORTICAL
BONE AND METHOD OF
MANUFACTURE THEREOF

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

"Express Mail" Mailing Label No.: EL849519359US

Date of Deposit: October 2, 2001

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I hereby certify that

- ☒ 1.53(b) Divisional Application transmittal form (in duplicate)
- ☒ Copy of prior application as filed including executed Combined Declaration and Power of Attorney and drawings
- ☒ Information Disclosure Statment with Form PTO 1449
- ☒ Check in amount of \$1,160.00 for the filing fee
- ☒ Return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

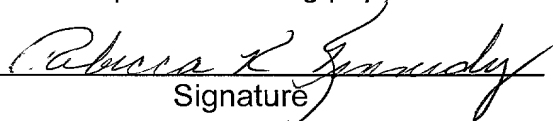
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Assistant Commissioner for Patents
Washington, D.C. 20231.

Date: October 2, 2001

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Rebecca K. Kennedy

Name of person mailing papers


Signature